

*Faith United Church  
of Christ*

*Harassment  
Prevention Policy*

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## I. Statement of Policy

As a community of Christian faith, Faith United Church of Christ is committed to creating and maintaining programs, facilities and a community in which members, friends, clergy, employees, and volunteers can worship, learn and work together in an atmosphere free from all forms of discrimination, harassment, exploitation or intimidation. The congregation of Faith United Church of Christ supports principles of SafeConduct, which include individual responsibility to fulfill the highest standards of personal conduct toward others and to lead and guide the congregation in fulfillment of the standards set by our Christian faith. Faith United Church of Christ strongly opposes and prohibits “sexual exploitation”, “sexual harassment” or any form of exploitation or abuse of others regardless of age, sex, sexual orientation, sexual identification or mental capacity. It is the intention of our congregation to affirmatively nurture good behavior, and to prevent and correct behavior that is contrary to this policy and, as necessary, discipline those persons who violate this policy.

Every member of the Congregation, whether “authorized clergy”, leader, lay staff, volunteer or parent, has a role to lead those who look to them individually for guidance, to monitor their behavior and redirect them as they cross boundaries of SafeConduct. Our congregation shall nurture good conduct as demonstrated by personal behaviors that are consistent with our Christian values. As we might conduct an orchestra, we shall guide and lead in ministry

## II. General Definitions

- A. Physical abuse is injury that is intentionally inflicted upon a person.
- B. Sexual abuse is any contact of a sexual nature that occurs between a youth and an adult or between two youths. This includes any activity which is meant to arouse or gratify the sexual desires of the adult or the other youth.
- C. Emotional abuse is mental or emotional injury to a person that results in an observable and material impairment in the person’s growth, development, or psychological functioning.
- D. Neglect is the failure to provide for a youth’s basic needs or the failure to protect a youth from harm.
- E. A Minor is anyone under the age of 18 (also referred to as youth throughout policy).
- F. A Vulnerable Adult is anyone aged 18 or over, who is or may be in need of community care services by reason of mental or other disability, age, or illness, and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.
- G. Mandatory Reporters are those persons required by New York State law to report suspected abuse to police or child welfare agencies.
- H. Authorized Clergy includes any person who is admitted to ministry by The United Church of Christ, who serves the congregation in any capacity whether called as pastor or serving in a retired, emeritus, administrative, or volunteer capacity.

### **III. Policy and Procedures for Addressing Sexual Misconduct Between Adults**

#### **A. Defining Sexual Misconduct**

1. Sexual misconduct of a pastor involving a parishioner, client, or employee with whom the pastor has a professional, pastoral relationship is unethical and unprofessional behavior.
2. Sexual contact between professional lay staff or congregation volunteers and a parishioner, client, or employee with whom the lay staff or volunteer has a working, leading, or teaching relationship is unethical.
3. Sexual harassment includes, but is not limited to: unwelcome and unsolicited sexual advances, request for sexual favors, discriminatory tormenting based upon gender and other undesired verbal, visual, or physical conduct of a sexual nature. In particular, sexual harassment occurs if there is:
  - a) Submission to any kind of sexual harassment as an explicit or implicit term or condition of employment;
  - b) Submission, to or rejection of, sexually harassing behavior if used as a basis for employment or other personnel decisions affecting the recipient of the behavior;
  - c) Purpose or effect of unreasonably interfering with the recipient's work performance;
  - d) Verbal harassment or abuse;
  - e) Pressure for sexual activity;
  - f) Derogatory or dehumanizing remarks about women/men;
  - g) Remarks to a person with sexual or demeaning implications;
  - h) Touching of a sexual nature;
  - i) Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's job, volunteer position or reputation, etc.;
  - j) The dissemination of material (such as cartoons, articles, pictures, etc.) which have sexual content.

#### **B. Reporting Sexual Misconduct**

1. The first step in stopping sexual harassment is to directly inform the person involved that his/her conduct is unwelcome, a violation of church policy, and that it must stop immediately.
2. Anyone may report allegations of sexual misconduct to the chair of the Pastor/Parish Relations Committee, or the Chair of the Church Board, or the Pastor. See Sexual Harassment Reporting Form in Appendix, XIII, F.
3. Allegations of sexual misconduct against pastoral staff will be reported to the Associate Conference Minister of the UCC New York Conference Western Association.
4. Allegations of sexual exploitation against pastoral staff will be reported to the Associate Conference Minister of the UCC New York Conference Western Association.

5. Allegations of sexual misconduct against lay staff and volunteers will be reported to the congregational senior pastor and/or congregation church board chairperson.
6. Allegations against associates in ministry should be reported to the Associate Conference Minister of the UCC New York Conference Western Association.
7. Allegations of sexual abuse with minor children and vulnerable adults must be reported to the senior pastor and local legal authorities.
8. Pastors hearing confessions about sexual misconduct involving legal adults will maintain confidentiality.
9. Alleged victims of sexual misconduct are assured of legal confidentiality of any allegations they make.
10. Allegations of sexual misconduct must be made in writing as to date, time and circumstances (see Reporting Form in Appendix, XIII, F).

### **C. Investigating Sexual Misconduct**

1. Congregation officers, board members, pastoral and lay staff, and volunteers will cooperate with UCC Conference or Association investigation of allegation of pastoral misconduct.
2. Allegations of sexual misconduct against lay staff, employees, and volunteers and volunteers of congregation will be investigated, handled with discretion and confidentiality, and adjudicated by the personnel committee or an ad hoc committee appointed by the church board in order to rectify, heal and promote dignity. The committee of women and men shall consist of a pastor, one board member and two members at large from the congregation. The committee shall report its findings and recommendation to the personnel committee and, if necessary, to the church board.
3. Victims of alleged sexual misconduct have the right to confront the accused.
4. Victims may have the support of a trained advocate through the process.
5. The accused has the right to know the nature and substance of the allegations.
6. The alleged victim and the accused will be apprised of the investigation and its outcome.

### **D. Youth Activities**

There will be chaperones of both genders at any church sponsored youth activity, when young people of both genders are participating in the activity. Men will not chaperone girl's activities without a woman present and women will not chaperone boy's activities without a man present.

### **E. Responding to Sexual Misconduct**

1. Pastoral staff found guilty of sexual misconduct will be dealt with in accordance with denominational guidelines.
2. Lay staff and volunteers found guilty of sexual exploitation will be removed from their duties in the congregation.
3. False allegations and/or information will be subject to disciplinary action by the

church board.

4. The congregation will extend Christian love and support to the victims and their families.
5. The congregation will extend Christian love and support to those accused and/or found guilty of sexual misconduct.

#### **F. Oversight and Education**

1. The church board is responsible for the education of congregation members about sexual misconduct and the existence of these policies.
2. The church board shall review these policies annually with pastors, officers and council members, lay staff, other employees, committed chairs and volunteers.
3. The church board and personnel committee are responsible to ensure that these policies are followed.
4. The staff will be educated through annual meetings in regard to this policy and acknowledge policy by signature.

### **IV. Code of Conduct with Youth and Vulnerable Adults**

The following Code of Conduct is intended to assist clergy, employees, and volunteers in making decisions about interactions with youth and vulnerable adults. For clarification of any guideline, or to inquire about behaviors not addressed here, contact your supervisor.

Faith United Church of Christ provides our youth and vulnerable adults with the highest quality services available. We are committed to creating an environment for youth and vulnerable adults that is safe, nurturing, empowering, and that promotes growth and success.

No form of abuse will be tolerated, and confirmed abuse will result in immediate dismissal from Faith United Church of Christ. All reports of suspicious or inappropriate behavior with youth and vulnerable adults or allegation of abuse will be taken seriously. Faith United Church of Christ will fully cooperate with authorities if allegations of abuse are made that require investigation.

The Conduct with Youth and Vulnerable Adult outlines specific expectations of the clergy, employees, and volunteers as we strive to accomplish our mission together.

- A. Youth and vulnerable adults will be treated with respect at all times.
- B. Youth and vulnerable adults will be treated fairly regardless of race, sex, age, or religion.
- C. Clergy, employees, and volunteers will adhere to uniform standards of displaying affection as outlined by Faith United Church of Christ.
- D. Clergy, employees, and volunteers will avoid affection with youth and vulnerable adults that cannot be observed by others.
- E. Clergy, employees, and volunteers will adhere to uniform standards of appropriate and inappropriate verbal interactions as outlined by Faith United Church of Christ.

- F. Clergy, employees, and volunteers will not stare at or comment on youth and vulnerable adults' bodies.
- G. Clergy, employees, and volunteers will not date or become romantically involved with youth and vulnerable adults.
- H. Clergy, employees, and volunteers will not use or be under the influence of alcohol or illegal drugs in the presence of youth and vulnerable adults.
- I. Clergy, employees, and volunteers will not have sexually oriented materials, including printed or online pornography, on Faith United Church of Christ's property.
- J. Clergy, employees, and volunteers will not have secrets with youth and vulnerable adults and will only give gifts with prior permission.
- K. Clergy, employees, and volunteers will comply with Faith United Church of Christ's policies regarding interactions with youth and vulnerable adults outside of our programs.
- L. Clergy, employees, and volunteers will not engage in inappropriate electronic communication with youth and vulnerable adults.
- M. Clergy, employees, and volunteers are prohibited from working one-on-one with youth and vulnerable adults in a private setting. Clergy, employees, and volunteers will use common areas when working with individual youth and vulnerable adults.
- N. Clergy, employees, and volunteers will not abuse youth and vulnerable adults in anyway including (but not limited to) the following:
  - 1. *Physical abuse*: hitting, spanking, shaking, slapping, unnecessary restraints;
  - 2. *Verbal abuse*: degrading, threatening, cursing;
  - 3. *Sexual abuse*: inappropriate touching, exposing oneself, sexually oriented conversations;
  - 4. *Mental abuse*: shaming, humiliation, cruelty; and
  - 5. *Neglect*: withholding food, water, shelter
- O. Faith United Church of Christ will not tolerate the mistreatment or abuse of one youth or vulnerable adult by another youth or vulnerable adult. In addition, Faith United Church of Christ will not tolerate any behavior that is classified under the definition of bullying, and to the extent that such actions are disruptive, we will take steps needed to eliminate such behavior.

Bullying is aggressive behavior that is intentional, is repeated over time, and involves an imbalance of power or strength. Bullying can take on various forms, including:

- 1. *Physical bullying* – when one person engages in physical force against another person, such as by hitting, punching, pushing, kicking, pinching, or restraining another.
- 2. *Verbal bullying* – when someone uses their words to hurt another, such as by belittling or calling another hurtful names.

3. *Nonverbal or relational bullying* – when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, or gossip. This type of bullying also includes intimidating another person by using gestures.
4. *Cyberbullying* – the intentional and overt act of aggression toward another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve:
  5. Sending mean, vulgar, or threatening messages or images.
  6. Posting sensitive, private information about another person.
  7. Pretending to be someone else in order to make that person look bad.
  8. Intentionally excluding someone from an online group.
  9. Hazing – an activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person regardless of that person’s willingness to participate.
  10. Sexualized bullying – when bullying involves behaviors that are sexual in nature. Examples of sexualized bullying behaviors include sexting, bullying that involves exposures of private body parts, and verbal bullying involving sexualized language or innuendos.

Anyone who sees an act of bullying, and who then encourages it, is engaging in bullying. This policy applies to all youth and vulnerable adults, clergy, employees, and volunteers.

- P. All clergy, employees, and volunteers must follow state specific mandatory reporting requirements. They should be trained to be aware of and understand their legal and ethical obligation to recognize and report suspicions of mistreatment and abuse. They will:
  1. Be familiar with the symptoms of child abuse and neglect, including physical, sexual, verbal, and emotional abuse.
  2. Know and follow organization policies and procedures that protect youth and vulnerable adults against abuse.
  3. Report suspected child abuse or neglect to the appropriate authorities as required by state mandated reporter laws.
  4. Follow up to ensure that appropriate action has been taken.
- Q. Clergy, employees, and volunteers will report concerns or complaints about other employees, volunteers, adults, or youth to Faith United Church of Christ’s supervisor or Praesidium’s Anonymous Helpline at 855-347-0751.
- R. Faith United Church of Christ cooperates fully with the authorities to investigate all cases of alleged abuse. Any clergy, employee, or volunteer shall cooperate to the fullest extent possible in any external investigation by outside authorities or internal investigation conducted by the organization or persons given investigative authority by the organization. Failure to cooperate fully may be grounds for termination.
- S. Clergy, employees, and volunteers may not have engaged in or been accused or convicted of youth and vulnerable adult abuse, indecency with a youth and vulnerable adult, or injury to a youth and vulnerable adult.



**V. Policies for Working with Youth**

Policies define the bandwidth of acceptable behavior in an organization. Because offenders often violate policies to gain access to youths, when staff know and understand policies, they can identify, interrupt, and report policy violations. Simply interrupting a policy violation can prevent a false allegation of abuse or put an offender on notice that no one works in private, the rules apply to everyone, and violations will be detected.

**A. Physical Contact**

Faith United Church of Christ’s physical contact policy promotes a positive, nurturing environment while protecting youths, clergy, employees, and volunteers. Faith United Church of Christ encourages appropriate physical contact with youths and prohibits inappropriate displays of physical contact. Any inappropriate physical contact by clergy, employees, and volunteers towards youths in the organization’s programs will result in disciplinary action, up to and including termination of employment.

Faith United Church of Christ’s policies for appropriate and inappropriate physical interactions are:

<i>Appropriate Physical Interactions</i>	<i>Inappropriate Physical Interactions</i>
<ul style="list-style-type: none"> <li>• Side hugs</li> <li>• Shoulder-to-shoulder or “temple” hugs</li> <li>• Pats on the shoulder or back</li> <li>• Handshakes</li> <li>• High-fives and hand slapping</li> <li>• Verbal praise</li> <li>• Pats on the head when culturally appropriate</li> <li>• Touching hands, shoulders, and arms</li> <li>• Arms around shoulders</li> <li>• Holding hands (with young children in escorting situations)</li> </ul>	<ul style="list-style-type: none"> <li>• Full-frontal hugs</li> <li>• Kisses</li> <li>• Showing affection in isolated area</li> <li>• Lap sitting</li> <li>• Wrestling</li> <li>• Piggyback rides</li> <li>• Tickling</li> <li>• Allowing a youth to cling to an employee’s or volunteer’s leg</li> <li>• Any type of massage given by or to a youth</li> <li>• Any form of affection that is unwanted by the youth or the staff or volunteer</li> <li>• Compliments relating to physique or body development</li> <li>• Touching bottom, chest, or genital areas</li> </ul>

**B. Verbal Interactions**

Clergy, employees, and volunteers are prohibited from speaking to youths in a way that is, or could be construed by any observer, as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Clergy, employees, and volunteers must not initiate sexually oriented conversations with youths. Clergy, employees, and volunteers are not permitted to discuss their own sexual activities with youths.

Faith United Church of Christ’s policies for appropriate and inappropriate verbal interactions are:

<i>Appropriate Verbal Interactions</i>	<i>Inappropriate Verbal Interactions</i>
<ul style="list-style-type: none"> <li>• Positive reinforcement</li> <li>• Appropriate jokes</li> <li>• Encouragement</li> <li>• Praise</li> </ul>	<ul style="list-style-type: none"> <li>• Name-calling</li> <li>• Discussing sexual encounters or in any way involving youths in the personal problems or issues of clergy, employees, and volunteers</li> <li>• Secrets</li> <li>• Cursing</li> <li>• Off-color or sexual jokes</li> <li>• Shaming</li> <li>• Belittling</li> <li>• Derogatory remarks</li> <li>• Harsh language that may frighten, threaten or humiliate youths</li> <li>• Derogatory remarks about the youth or his/her family</li> </ul>

**C. One-on-One Interactions**

Most abuse occurs when an adult is alone with a youth. Faith United Church of Christ aims to eliminate or reduce these situations and prohibits private one-on-one interactions unless approved in advance by the organization administration.

1. In those situations where one-on-one interactions are approved, clergy, employees, and volunteers should observe the following additional guidelines to manage the risk of abuse or false allegations of abuse:

<i>Additional Guidelines for One-on-One Interactions</i>
<ul style="list-style-type: none"> <li>• When meeting one-on-one with a youth, always do so in a public place where you are in full view of others.</li> <li>• Avoid physical affection that can be misinterpreted. Limit affection to pats on the shoulder, high-fives, and handshakes.</li> <li>• If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by.</li> <li>• Inform other clergy, employees, and volunteers that you are alone with a youth and ask them to randomly drop in.</li> <li>• Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.</li> </ul>

2. Tutoring/ Private Coaching:

One-on-one situations, such as tutoring and private coaching sessions, introduce additional risks for false allegations. Clergy, employees, and volunteers should be aware of our policies regarding tutoring and private coaching:

- a. Clergy, employees, and volunteers must have supervisor approval for any tutoring or private coaching sessions.
- b. Tutoring and coaching sessions with Faith United Church of Christ’s youths may not occur outside of the organization.
- c. Supervisors must keep a schedule of private tutoring and coaching sessions, which should include times, youths involved, and location of sessions.

**D. Off-site Contact**

Many cases of organizational abuse occur off-site and outside of regularly scheduled activities. This contact outside of regularly scheduled activities may put staff, volunteers, and Faith United Church of Christ at increased risk.

1. Faith United Church of Christ strongly recommends that staff do not have outside contact with youths from the organization. However, if off-site contacts are unavoidable (such as during mentoring programs), Faith United Church of Christ has determined that the following forms of outside contact are appropriate and inappropriate:

<i>Appropriate Outside Contact</i>	<i>Inappropriate Outside Contact</i>
<ul style="list-style-type: none"> <li>• Taking groups of youths on an outing</li> <li>• Attending sporting activities with groups of youths</li> <li>• Attending functions at a youth’s home, with parents present</li> </ul>	<ul style="list-style-type: none"> <li>• Taking one youth on an outing without the parents’ written permission</li> <li>• Visiting one youth in the youth’s home, without a parent present</li> <li>• Entertaining one youth in the home of staff or volunteers</li> <li>• A lone youth spending the night with staff or volunteers</li> </ul>

2. In addition, when outside contact is unavoidable, ensure that the following steps are followed:
  - a. Supervisors should identify for clergy, employees, and volunteers what types of outside contact are appropriate and inappropriate.
  - b. Ensure that staff or volunteers have the parents’ permission to engage in outside contact with the youth. Consider requiring the parents to sign a release-of-liability statement.

**E. Electronic Communication**

Any private electronic communication between staff and youths, including the use of social networking websites like - Facebook, Instagram, Snapchat, instant messaging, texting, etc. - is prohibited. All communication between staff and youths must be transparent.

1. The following are examples of appropriate and inappropriate electronic communication:

<i>Appropriate Electronic Communication</i>	<i>Inappropriate Electronic Communication</i>
<ul style="list-style-type: none"> <li>• Sending and replying to emails and text messages from youths ONLY when copying in a supervisor or the youth’s parent</li> <li>• Communicating through “organization group pages” on Facebook or other approved public forums</li> <li>• “Private” profiles for clergy, employees, and volunteers which youths cannot access</li> </ul>	<ul style="list-style-type: none"> <li>• Harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating comments</li> <li>• Sexually oriented conversations</li> <li>• Private messages between clergy, employees, and volunteers with youths</li> <li>• Posting pictures of organization participants on social media sites</li> <li>• Posting inappropriate comments on pictures</li> <li>• “Friending” participants on social networking sites</li> </ul>

In addition, provide this information to your participant’s parents so that they know what is appropriate and inappropriate from your staff.

2. Cell Phone Use

While assigned to work with youths, staff are not permitted to use electronic communications device except during approved breaks and emergency situations. Internet use, text messaging and/or emailing pictures while assigned to work with youths is strictly prohibited regardless of the type of device used and whether for business or personal reasons. Employees need to ensure that friends and family members are aware of this policy.

Use of personal electronic communication devices to contact (via voice, text, or pictures/video) organization members and/or program participants for personal and/ or inappropriate reasons shall be grounds for discipline up to and including termination of employment.

There are occasions in which staff will need to use personal or organization issued electronic communication devices. In these cases, staff will have explicit direction from supervisors governing use. Situations which may require use of organization issued or personal electronic communication devices include:

- a. Field Trips;
- b. Off-site Programs; and
- c. Emergencies.

**F. Gift Giving**

Molesters routinely groom youths by giving gifts, thereby endearing themselves to the youth. They might instruct the youth to keep the gifts a secret, which then starts teaching the youth to keep secrets from parents. For this reason, clergy, employees, and volunteers should only give gifts to groups of youths, and only under the following circumstances:

- 1. Administration must be made aware of and approve the gift.
- 2. Parents must be notified.

## VI. Screening and Selection

The process of screening and selecting employees and volunteers is an essential element of management due diligence. There are several elements required which serve a number of purposes. Criminal background checking by itself is inadequate simply because very few predators, or people who would become predators, have been through the penal system. A would-be predator requires three things: Access, Privacy & Control.

**Standing of “Authorized Clergy”:** Each denomination served by the Insurance Board has a process of granting professional standing to clergy. Employment of clergy who do not fulfill denominational requirements may have an impact on insurance programs. Consult your insurance agent if there are concerns.

The following screening and selection procedures are strongly recommended for all clergy, employees, and volunteers.

*Note: Each board member, employee or volunteer now serving and regardless of length of service must be willing to set an example for all others who follow in their ministry. Therefore, at the time this policy is first adopted, all incumbent board members, employees and all incumbent volunteers who work with children shall execute the following procedures.*

### A. Standardized Application

All applicants should be expected to complete an application prior to working at Faith United Church of Christ. The application should be reviewed by Employment Committee for completeness, high risks and fit with position requirements. If the application is not 100% complete, the applicant may be screened out, the applicant may be asked to complete the application, or the missing information may be obtained during an interview. However, Faith United Church of Christ should endeavor to follow a consistent approach to applications missing information.

Offers should not be made until an application is 100% complete. Applications should be kept in the personnel file.

Volunteers must be active members of Faith United Church of Christ for a minimum of six months before being permitted to work in youth-oriented programs. There should be **no exceptions** to this policy, even when volunteer candidates come from another church with similar programs.

### B. Interviews

All applicants should be interviewed during the selection process and prior to employment. The purpose of the interview is to determine whether the applicant possesses the skills needed to perform the job requirements and whether the applicant demonstrates characteristics of a potentially abusive person. The interview should also provide the applicant with information about job responsibilities and expectations.

The (Chair, Employment Committee) and Director (of the related program) should interview each candidate. Each shall employ behavioral interviewing techniques to assess suitability for working with children, and specifically discuss the church’s commitment to protect children and other vulnerable persons from abuse.

The Employment Committee should take notes as to applicant responses to the interview questions, and the interpretive guide should be used to evaluate applicant responses. After the interviews are

completed, the applicant may be screened out or the applicant may continue in the screening process. The information recorded will be kept in the personnel file if the applicant is hired or selected.

### C. Reference Checks

Reference checks should be conducted for all applicants prior to employment. A minimum of three references is recommended, including two professional and one personal reference. The Employment Committee will work with applicants to develop a good reference list. If the person responsible for screening the applicant does not believe the references are appropriate, he or she can ask for different ones. References should be conducted by telephone. The person responsible for the screening should inform the referent that the applicant is applying for a position with the organization and will explain that the applicant will have access to a vulnerable population. The Employment Committee will use standard reference questions and will record the responses of the referents on the reference question form. The high-risk checklist will be used to help evaluate referent responses.

Offers of employment should not be made until the required number of references is contacted. Completed reference check forms should be kept in the applicant's personnel file if the applicant is employed.

### D. Background Checks

Criminal history and sexual offender registry checks should be conducted for all applicants. Generally, the information should be obtained prior to employment of the applicant; however, if the length of time needed to receive the results of these checks is unduly long, Faith United Church of Christ could have the applicant start the position and remain in the position until the criminal background results are obtained and reviewed. New employees and volunteers should not be left unsupervised with youths until the criminal history results are returned.

The background check(s) should include the following:

- National multi-state criminal records search;
- National sex offender registry search;
- Social security number trace and alias search; and
- County criminal records search for every county where the applicant has lived or worked for the past 7 years

Written permission to conduct a background check shall be obtained from each applicant prior to executing the check.

In addition, all applicants should undergo criminal drug screening prior to employment, and applicants responsible for transportation should have a driver's license check performed to identify past driving concerns.

### E. Employment Decisions

A committee of three consisting of a member from the Employment Committee, a Trustee, and a Deacon shall review each background check and agree that the applicant is eligible for employment as clergy, employee or volunteer.

3. Where a criminal record exists, consideration shall be given to:
  - a. Seriousness of the crime;
  - b. Statutes that may legally disqualify the person from working with minors;
  - c. Length of time since the last offense;

- d. Pattern of criminal activity; and
  - e. Activities the applicant has been involved in since the offense(s) occurred.
4. Conviction for the following crimes shall be considered barriers to employment or volunteer work with children:
- a. Violent crimes;
  - b. Sexual assault;
  - c. Sexual abuse or neglect of a child; and
  - d. Drug offenses or driving offenses (depending upon position requirements)
5. Arrest data are not grounds for disqualification, only convictions. The status or relevance of other crimes will be considered individually.

Before an offer of employment is made, screening managers involved in the Screening process should review all information obtained. The employment process should last a sufficient length of time to allow Employment Committee to carefully collect and evaluate information about applicants and to allow the applicant time to self-select out of the process if they have concerns about the position.

Following the review, each committee member shall sign and date one of two documents that becomes part of the applicant's or employee's permanent personnel file:

*"We have reviewed the criminal history of Applicant X and determined, based on the information we had available at this time, the applicant would be **acceptable** for the position."*

OR

*"We have reviewed the criminal history of Applicant X and determined, based on the information we had available at this time, the applicant is **not acceptable** for the position."*

## VII. Training

The mission of Faith United Church of Christ is first to prevent abuse of children and other vulnerable adults. We wish to identify and nurture SafeConduct™, to lead and to guide through adequate training. It is difficult to comprehend that those among us, our friends and family, would commit such acts willingly. Nevertheless, persons who have been presented no behavior standards and do not understand boundaries may unwittingly engaged in behaviors that may be perceived as predatory. Their personal reputations and that of Faith United Church of Christ are then at risk.

To fulfill our leadership obligation, each new employee and new volunteer shall complete a specific program of training within 30 days of assuming duties. Fulfillment of training requirements shall be documented by the (Training Administrator – *Armatus* program) and respective program Director (Christian Education; Youth Choir; Day Care; Pre-School, etc.).

Training shall be repeated annually. Records shall be maintained by the (Training Administrator – *Armatus* Program) and respective program Directors.

Abuse prevention curriculum shall include:

- A. Organization level
  1. Review of expected conduct and boundaries defined in this policy.

2. Review of standards applicable to ministry.
  3. Explanation of procedures for reporting violations of standards of conduct and suspected child abuse.
  4. Explanation of individual statutory reporting obligations.
  5. Identifying and managing high-risk situations such as bathroom use, transition times, and free times.
  6. Physical security procedures.
- B. Abuse prevention education:
1. Effects of sexual abuse.
  2. Types of child molesters.
  3. Characteristics of abusers.
  4. How child molesters operate: access, privacy, and control.
  5. Protecting oneself from false allegations.
  6. Examples of child-on-child sexual abuse, even among young children.
  7. Characteristics of children more likely to act out sexually.
  8. Characteristics of children more likely to be abused.
  9. High-risk activities and circumstances.
  10. Specific monitoring and supervision activities to prevent child-on-child sexual activity.
  11. How to respond to incidents of sexual activity between children.

The Program Directors shall assure that each employee and volunteer has mastered requirements and provide additional supervision and guidance as required to assure required conduct.

*NOTE: The Insurance Board, a not-for-profit ministry of the UCC, believes so strongly in training that it provides FREE training services to all churches and camps of the denominations it serves, whether or not your church or camp is participating in the Insurance Board insurance program.*

*The **Armatus** training suite by **Praesidium, Inc.** is a robust on-line training program that we administer at our church. It is completely paperless and provides a perpetual record of training. The program covers all curriculum outlined below, except for (1) the specifics of our policies and (2) our reporting procedures. Information about the training program can be found in the **Administrators Guide** at our website: [www.InsuranceBoard.org](http://www.InsuranceBoard.org) Click on **Safety Solutions**, then **SafeConduct™ Workbench**.*

## VIII. Monitoring and Supervision

When clergy, employees, and volunteers are adequately supervised, potential offenders are less likely to act on their impulses because they face detection. When youths are adequately supervised, they too are less likely to engage in inappropriate interactions with others. Similarly, the facility must be monitored, particularly out-of-the-way locations or locations that might permit an offender undue access to or privacy with a youth. Effective supervision and monitoring require that a variety of methods be used frequently, at both scheduled and random times.



## **A. Facility Monitoring**

Building architecture can increase or mitigate the risk of an incident or accident. Because most incidents of sexual behavior occur in private, the extent to which privacy is managed, risk is managed. In order to ensure that all of the locations are properly and consistently monitored, designate a staff member who must complete a site inspection checklist.

## **B. General Supervision**

General supervision procedures:

1. **Administrative and Supervisory Visits to Youth Programs-** Youth supervisors and administrators will regularly visit all youth programs to ensure that all activities are well-managed and that youth policies are observed by all in attendance.
2. **Ratios-** Each program will follow the ratio requirements that are directly to the goals of the program and the design of the program area. The employee or volunteer-to-youth ratio should be adjusted for programs that serve youths with special needs. Refer to local licensing requirements and general best practice guidelines for establishing adult-to-youth ratios.
3. **Mixed Age Groups-** In most incidents involving one youth abusing another youth, the youths are from different age groups. Each program is responsible for establishing specific guidelines for additional monitoring and supervision of activities that involve youths from different age groups. Clergy, employees, and volunteers must be aware that close line of sight supervision is required when monitoring programs that mix age groups.

## **C. Monitoring Youth in Facilities**

Because Faith United Church of Christ is responsible for all youths in the facility, we recommend implementing the following practices:

1. Require a parent or legal guardian to complete a membership application which includes identifying information, any special medical or behavioral circumstances, any legal indemnifications, the youth's date of birth, and emergency contact information. In addition, require all youths to sign-in AND to sign-out of the facilities so that the program has a record of the youth who are in the facility at all times.
2. Require youths to sign a Code of Conduct that outlines the program's behavioral expectations and policies regarding appropriate and inappropriate interactions. This Code of Conduct should also include a systematic disciplinary policy which explains that youths will be suspended or dismissed from the program for policy violations. Require parents to sign this Code of Conduct as well, so that they are aware of the program's policies and progressive disciplinary procedures.
3. While a parent orientation may not be feasible in all circumstances, we recommend encouraging parents to attend an information session with a program representative. This meeting will provide an opportunity to review expectations and requirements, and the chance to establish a relationship with the parents. This can be helpful if any problems arise in the future.
4. While in the facility, youths can be supervised directly, indirectly, or with a combination of the two techniques.
  - a. For direct supervision, the program may offer structured, scheduled activities like basketball tournaments, swimming activities, arts and crafts, etc. These activities should have one or more staff assigned to lead and supervise.
  - b. For indirect supervision, the program must designate certain building areas as authorized areas. Authorized areas could include a gymnasium, a game area, or a classroom for doing

homework and so on. Authorized areas must be easily visible and routinely and systematically checked by staff. Youths should know that they will be supervised by staff at all times, and all staff should know which areas are authorized and which are not.

5. Develop supervision standards for the authorized areas. For example:
  - a. Determine how frequently authorized areas should be monitored by staff.
  - b. Assign staff specific supervision responsibilities over authorized areas.
  - c. Require staff to record when they monitor authorized areas: this may be accomplished by using checklists.
6. All program staff should wear nametags or identifying clothing so that the youth can easily recognize them as staff.
7. Train all staff:
  - a. To greet youths that enter the facility; to direct youths to the structured activities or authorized areas; and, to redirect youths who are not in an authorized area or who are not participating in a structured activity.
  - b. To be aware of the risks involved with mixing age groups and how to monitor activities involving mixed age groups.
  - c. To routinely monitor high risk areas (such as bathrooms, locker rooms, and unused rooms). Praesidium recommends designating specific staff to supervise these areas (i.e., Managers on Duty). This staff should document the scheduled and periodic sweeps of high risk locations.

Ultimately, all youth must be supervised at all times, regardless of age. The key to remember is that they can be supervised directly in structured activities and indirectly when they are in authorized areas.

#### **D. Monitoring High Risk Activities**

##### **1. Bathroom Activities**

- a. Most incidents of youth-to-youth abuse occur in the bathrooms. Therefore, the following supervision guidelines are recommended:
- b. When supervising restroom use, adult staff members should first quickly scan the bathroom before allowing youths to enter.
- c. For “Group Bathroom Breaks”:
  - i. Require staff to take groups of two or more youths to the bathroom – following the “rule of three” or more.
  - ii. If the bathroom only has one stall, only one youth should enter the restroom while the others wait outside with the staff.
  - iii. If there are multiple stalls, only send in as many youths as there are stalls.
  - iv. Minimize youths of different ages using the bathroom at the same time.
  - v. Require staff to stand outside the bathroom door but remain within earshot.
- d. For single use restrooms:
  - i. Require youths to ask permission to use the bathroom.

- ii. Require all staff to frequently check bathrooms.
- e. Prohibit staff from using the bathroom at the same time as youths.
- f. If assisting young youths in the stalls, the staff should keep the door to the stall open.

## 2. Locker Room Activities

- a. The locker room procedures include:
- b. Requiring staff to stand within earshot of the locker room when in use by youths.
- c. Requiring staff to intermittently and briefly check inside the locker room so users know the locker room is monitored.
- d. Discouraging the use of locker rooms by youths of different ages at the same time.
- e. Prohibiting the use of locker room horseplay such as towel snapping.
- f. When possible, arrange lockers to minimize unnecessary privacy.

## 3. Shower Activities

Staff and youths must shower at different times. Create shower schedules that will permit supervision of the youths while staff shower.

- a. While the youths shower, at least one staff member should stand in the bathroom doorway and within earshot of the youths. Ensure that only one youth is in each shower (Consider utilizing shower curtains that do not go all the way to the floor, so that staff can easily see how many youths are in each shower stall).

## 4. Transition Times and Free Times

- a. Transition times and free-choice times (or free times) pose a high risk for incidents because during these times, clergy, employees, and volunteers may not be assigned a particular group of youths to supervise. To decrease the risk of incidents, implement the following procedures:
- b. Require youths to remain in line-of-site of staff at all times.
- c. Specify the staff-to-youth ratio.
- d. Specify narrow geographic boundaries in the program areas.
- e. Ensure that all staff are assigned specific areas to supervise (“zone monitoring”).
- f. Include bathroom procedures.
- g. Require periodic roll calls for each age group.
- h. Require supervisors to conduct periodic check-ins and sweeps of the entire activity area.

## 5. Playground Activities

- a. The playground procedures require:
- b. Youths to remain in line-of-site of staff at all times.
- c. Definition of specific and narrow geographic boundaries around the playground area.
- d. Specific instructions on how to monitor barriers of supervision (such as storage sheds, playhouses, tunnels, and shrubs).
- e. That all staff are assigned specific areas to supervise (“zone monitoring”).

- f. Specific bathroom procedures.
- g. Staff to conduct periodic roll calls for each age group.
- h. Supervisors to conduct periodic check-ins and assessments of the activity period and of the entire activity area.

## 6. Transportation Activities

Transporting youths may increase the risk of abuse or false allegations of abuse because clergy, employees, and volunteers may be alone with a youth or may make unauthorized stops with youths. In addition, transportation activities may provide a time for unsupervised youths to engage in youth-to-youth sexual activity.

- a. The transportation guidelines:
  - i. Require written parent permission from all youths on the trip. Staff take these permission forms and medical releases with them on the trip.
  - ii. Require staff to have a list of the youths on the trip. The staff take roll when boarding the bus, when leaving the bus, periodically throughout the trip, and then again when boarding the bus.
  - iii. Specify staff-to-youth ratios. When possible, do not count the driver in the supervision ratio.
  - iv. Require staff to sit in seats that permit maximum supervision.
  - v. Discourage mixed age groups from sitting together. When possible, high risk youths are seated by themselves or with a staff member.
  - vi. Prohibit drivers from making unauthorized stops.
  - vii. Where applicable (such as in mentoring programs), require staff to document the beginning and ending time of the trip and the mileage, names of the youths being transported, and the destination.
  - viii. Require documentation of any unusual occurrences.
- b. When public transportation is used:
  - i. In addition to the transportation procedures listed above, youths should remain in one area of the bus, if possible.
  - ii. Clergy, employees, and volunteers that are assigned to a group should remain with that group on the bus.
  - iii. Take a head count or call roll immediately after entering and leaving the bus.
- c. In situations where staff transport youths in non-organization vehicles:
  - i. Administrators must be notified of all transportation activities.
  - ii. Use the “rule of three” when transporting youths: At least two adults must transport a single youth, or at least two youths must be present if transported by a single adult.
  - iii. Youths must never be transported without written permission from a parent.
  - iv. Youths must be transported directly to their destination. No unauthorized stops may be made.

- v. A staff member must document beginning and ending times and mileage, the names of youths, and other clergy, employees, and volunteers who are involved in transportation, purpose of the transportation, and destination.
- vi. Staff must avoid unnecessary physical contact with youths while in vehicles.
- vii. When possible, staff should avoid engaging in sensitive conversations with youths.

See Appendix for Volunteer Driver Qualification Form & Agreement.

## 7. Off-Site Activities

- a. The off-site procedures include:
- b. Requiring supervisor approval for all off-site activities.
- c. Requiring parental approval.
- d. Specifying staff-to-youth ratios for the activity.
- e. Requiring staff and youths to be easily identifiable.
- f. Including specific bathroom and locker room procedures as applicable to outing.
- g. Including transportation procedures.
- h. Including instructions for a supervisor to observe the off-site activities at scheduled times and random intervals.
- i. Considering specific recommendations based on the location and type of activity (for example, Amusement parks, Water Parks, Arcades, etc.).

See Appendix for Field Trip Preparation Checklist.

## 8. Overnight Activities

Overnight stays present unique risks to youths and staff. They often involve changing clothes, groups of both genders and different ages in a more intimate atmosphere than usual, more unstructured activities, and increased supervision demands for staff.

- a. Supervision Guidelines:
  - i. All overnight activities must be documented and approved in writing by the Program Director.
  - ii. Administrators are expected to regularly and randomly observe overnight activities on a scheduled and periodic basis.
  - iii. The Director should appoint a “lead” staff to supervise the overnight. A meeting with all staff is conducted to discuss the unique risks of overnight trips, unique elements of the specific overnight trip and to review the specific policies and procedures.
  - iv. Provide parents with written information about the overnight activity. All parents must sign a permission slip for their youths to attend the overnight.
  - v. Determine the appropriate staff-to-youth ratios before the event and schedule staff accordingly.
  - vi. Meetings with the group should be hosted in open and observable areas; meetings should not be hosted in staff or youth rooms.

- b. Overnights at the Facility:
  - i. Physical boundaries within the organization must be clearly defined and explained to the youths.
  - ii. Assign each staff to a specific group of youths to supervise. Each staff should then maintain a role sheet that lists all of the youths in his or her group. Head counts and roll checks should be conducted routinely throughout the evening.
  - iii. Assign staff to high risk areas in Faith United Church of Christ's facility, such as the bathrooms, entrances and exits, hallways, etc. If it is not possible to assign specific staff to these areas, assign specific staff to conduct periodic facility "walk-throughs".
  - iv. With regards to sleeping arrangements, separate the male and female youths into separate rooms and post staff at the entrances and exits to these rooms. If this is not feasible, separate males and females by as much space as possible.
  - v. When performing room checks, staff should always go in pairs.
  - vi. At least one staff must stay awake overnight.
- c. Overnights Away from the Facility:
  - i. Overnight stays at private homes are prohibited unless approved by the administration.
  - ii. Physical boundaries at the off-site location must be clearly defined and explained to the youths.
  - iii. Assign each staff to a specific group of youths to supervise. Each staff should then maintain a role sheet that lists all of the youths in his or her group. Head counts and roll checks should be conducted routinely throughout the event.
  - iv. If in a cabin type setting, the staff should be placed in bunks to maximize supervision around the cabin and in a way that decreases the chances of youths sneaking out (such as by the door).
  - v. In hotel rooms, assign youths to rooms based on sex and age. Staff should have their own rooms. If staff must share rooms with youths, they must have their own beds and never change in front of youths.
  - vi. All staff are to be on duty in the halls or cabins at night until an hour after lights out and all rooms are quiet.

## 9. Teen Leadership Program

Older youths who participate in teen leadership programs are still youth participants and not staff or volunteers. Therefore, even though they are often given more responsibility, teens in the leadership programs must be provided with guidelines regarding appropriate behavior, and then supervised accordingly. In addition, clergy, employees, and volunteers must understand and recognize that these teens are still youths and not their peers. Therefore, the following guidelines are recommended for teen leadership programs:

- a. Create a screening process for teen leaders which includes
  - i. A standard application
  - ii. An interview with behaviorally based interview questions
  - iii. References (from teachers, counselors, family friends, etc.)

- b. Train teen leaders in their role in programs and on program policies about appropriate and inappropriate interactions. This training should include the following information:
  - i. Appropriate and inappropriate physical and verbal interactions and the importance of maintaining behavioral boundaries between teen leaders and younger youths and between teen leaders and clergy, employees, and volunteers.
  - ii. Prohibiting teen leaders from being one-on-one with youths.
  - iii. Prohibiting teen leaders from escorting youths to the bathrooms.
  - iv. Prohibiting teen leaders from assisting youths with changing their clothes.
- c. Create a system to monitor the teen leaders.
  - i. Designate a specific employee or volunteer who is in charge of the teen leadership program and its participants.
  - ii. Require teen leaders to wear clothing or lanyards that identify them as leaders-in-training and differentiate them from both clergy, employees, and volunteers and from younger youths.
  - iii. Require a supervisor to conduct daily check-ins with teen leaders and their program supervisors.
  - iv. Consider requiring teen leaders to keep a log documenting their daily activities and any problems they encounter. The program supervisor should review these logs daily.

#### **E. Supervisors and Administrators Monitoring On-Site and Off-Site Programs**

1. Keep a record. **Document your supervision visits. Include information like your arrival and departure times, which youths and parents were present, and a summary of the information collected. Provide staff with feedback about visits.**
2. Vary your observation times. **Do not develop a predictable pattern of observation. Drop in at different times each day. Occasionally leave and come back immediately.**
3. Arrive before staff. **Check punctuality and the routine that staff follow to prepare for the youths to arrive.**
4. Survey the physical environment. **Is this a suitable location for the activity (e.g. size of area for number of youths, ability to supervise all areas used by youths, landscaping that may inhibit supervision)?**
5. Watch activities. **Are they planned and organized? Are the staff actively involved? Ask to see the schedule of activities and compare with what is actually going on at a given time.**
6. Observe bathroom and locker room activities. **Observe bathroom and locker room activities to ensure that the staff are complying with the established policies and procedures.**
7. Observe Interactions.

### **IX. Responding**

How an organization responds to suspicious or inappropriate interactions, policy violations, and incidents or allegations of abuse can dramatically affect the harm to the individuals involved and the damage to the

organization. Once a clergy member, employee, volunteer, youth, or parent has expressed a concern or made an allegation about the treatment of a youth, swift and determined action must be taken to reduce any subsequent risk to the youth, to the accused staff member or volunteer, and to the organization. Organizations must establish precise, unequivocal requirements for reporting to the authorities and for adhering to a serious-incident response plan.

**A. Responding to Suspicious or Inappropriate Behaviors or Policy Violations**

Because Faith United Church of Christ is dedicated to maintaining zero tolerance for abuse, it is imperative that everyone actively participates in the protection of youths. In the event that a clergy member, employee, or volunteer observe any suspicious or inappropriate behaviors and/or policy violations on the part of others, it is their personal responsibility to immediately report their observations.

Remember, at Faith United Church of Christ, the policies apply to everyone.

<i><b>Examples of Suspicious or Inappropriate Behaviors Between Employees/Volunteers and Youth</b></i>
<ul style="list-style-type: none"> <li>• Violation of the abuse prevention policies described above</li> <li>• Seeking private time or one-on-one time with youths</li> <li>• Buying gifts for individual youths</li> <li>• Making suggestive comments to youths</li> <li>• Picking favorites</li> </ul>

All reports of suspicious or inappropriate behavior with youths will be taken seriously. Our procedures will be carefully followed to ensure that the rights of all those involved are protected.

**1. Employee and Volunteer Response:**

If an employee or volunteer witness suspicious or inappropriate behaviors or policy violations from another employee or volunteer, they are instructed to do the following:

<i><b>Guidelines for Employees/Volunteers Response to Suspicious or Inappropriate Behaviors and/or Policy Violations</b></i>
<ul style="list-style-type: none"> <li>• Interrupt the behavior.</li> <li>• Report the behavior to a supervisor, director, or other authority.</li> <li>• If you are not comfortable making the report directly, make it anonymously.</li> <li>• If the report is about a supervisor or administrator, contact the next level of management.</li> <li>• Document the report but do not conduct an investigation.</li> <li>• Keep reporting until the appropriate action is taken.</li> </ul>

**2. Supervisor and Administrator Response:**

In the event that a supervisor or an administrator receives a report of suspicious or inappropriate behaviors or policy violations from a staff member or volunteer, the supervisor is instructed to do the following:



***Guidelines for Supervisors and Administrators Response to Suspicious or Inappropriate Behaviors and/or Policy Violations***

- Report to the next level of administration and determine the appropriate administrator to respond to the concern.
- Determine the appropriate response based on the report.
- Speak with the employee or volunteer or volunteer who has been reported.
- Review the file of the employee or volunteer or volunteer to determine if similar complaints were reported.
- Document the report on the appropriate form.
- If at any point in gathering information about a report of suspicious or inappropriate behavior, a concern arises about possible abuse, contact the state authorities and file a report.
- If appropriate, notify parents and/or guardians.
- Advise the person who reported the behavior that the report is being taken seriously.

Based on the information gathered, the following may be required:

- a. Increase monitoring or supervision of the employee, volunteer, or program.
- b. If policy violations with youths are confirmed, the employee or volunteer must be subject to disciplinary action up to and including termination and prosecution. Disciplinary action will follow the Progressive Disciplinary Process outlined in this manual.
- c. If more information is needed, interview and/or survey other clergy, employees, and volunteers or youths.

**3. Organizational Response:**

***Guidelines for Organizational Response***

- Review the need for increased supervision.
- Review the need for revised policies or procedures.
- Review the need for additional training.

**B. Responding to Suspected Abuse by an Adult**

**1. Employee or Volunteer Response to Abuse:**

As required by mandated reporting laws, clergy, employees, and volunteers must report any suspected abuse or neglect of a youth—whether on or off organization property or whether perpetrated by employees, volunteers, or others—to state authorities. Reports may be made confidentially or anonymously. A person who mistakenly reports suspected abuse is immune from civil or criminal liability as long as the report was made in good faith and without malice. *\*Refer to state specific mandated reporting requirements for definitions of abuse more specific reporting information.*

In addition to reporting to state authorities, clergy, employees, and volunteers are required to report any suspected or known abuse of youths perpetrated by employees or volunteers directly to

leadership so that immediate and proper steps may be taken to ensure the safety of alleged victims and others who may be at risk. Reports of suspected or known abuse may be made confidentially to the following:

- a. Immediate supervisor
- b. Directors
- c. Administrators

***Additional Guidelines for Employee/Volunteer Response to Incidents or Allegations of Abuse***

- If you witness abuse, interrupt the behavior immediately.
- If abuse is disclosed to you, assure the individual disclosing that he or she was correct to tell to you.
- Protect the alleged victim from intimidation, retribution, or further abuse.
- Immediately report the allegation or incident to the proper organization authorities (based on mandatory reporting requirements) and the designated authority.
- Be sure to document the incident, disclosure, or any circumstances causing your suspicion of abuse. State only the facts.
- It is not your job to investigate the incident but it **IS** your job to report the incident to your supervisor in a timely manner.
- Check back to make sure appropriate steps were taken. If not, report again to your supervisor or the designated organization authority.

**2. Supervisors and Administrators Response to Abuse:**

In addition to the above response procedures, supervisors and administrators should ensure the following:

***Guidelines for Supervisor and Administrators Responding to Allegations or Incidents of Abuse***

- First, determine if the youth is still in danger and if so, take immediate steps to prevent any further harm.
- Gather as much information about the allegation as you can. For example, who made the report, who was allegedly abused, who was the alleged abuser, what was the nature of the alleged abuse, where and when did the alleged abuse occur, etc.
- Accurately record everything you learn in as much detail as you can. Remember your notes may be read by others. Stick to the facts.
- Contact the appropriate local authorities as indicated by your mandatory reporting procedures. Make sure you get a case number and the name and contact information of the person with whom you speak at the reporting agency.
- If the alleged abuse involves an employee or volunteer, notify your crisis management team and follow your crisis management plan.
- Suspend the accused employee or volunteer until the investigation is completed.

**C. Responding to Youth-to-Youth Sexual Abuse and Sexualized Behaviors**

The thought that one youth may sexually abuse another youth does not occur to many people. Unfortunately, abuse between peers has increased 300% in the past few years. Youth-to-Youth sexual activity and sexualized behaviors often remain unreported in organizations because clergy, employees, and volunteers are not comfortable documenting these situations, or may not know how. Most serious incidents of youth-to-youth abuse are preceded by more subtle incidents such as name-calling, taunting, or roughhousing. Interrupting these interactions early and establishing and communicating standards of conduct can keep the program environment safe. Faith United Church of Christ recognizes that the following interactions are high risk and should be prohibited:

<b><i>Prohibited Youth-to-Youth Interactions</i></b>
<ul style="list-style-type: none"> <li>• Hazing</li> <li>• Bullying</li> <li>• Derogatory name-calling</li> <li>• Games of Truth or Dare</li> <li>• Singling out one child for different treatment</li> <li>• Ridicule or humiliation</li> </ul>

In order to adequately respond to and track incidents within the organization, all sexual activity between youths and sexualized behaviors of youths must be consistently documented.

**1. Employee and Volunteer Response:**

Youth-to-youth sexual behaviors can include inappropriate touching, exposing body parts, using sexualized language, making threats of sexual activity, engaging in sexual activity, and similar types of interactions.

If employees or volunteers witness youth-to-youth sexual behaviors, they are instructed to follow these guidelines:

<b><i>Guidelines for Clergy, Employees, and Volunteers Responding to Youth-to-Youth Sexual Activity</i></b>
<ul style="list-style-type: none"> <li>• If you observe sexual activity between youths, you should immediately separate them.</li> <li>• Calmly explain that such interactions are not permitted and separate the youths.</li> <li>• Notify your supervisor.</li> <li>• Complete the necessary paperwork including what you observed and how you responded.</li> <li>• Follow your supervisor's instructions regarding notifying the authorities and informing the parents of the youth involved.</li> <li>• In some cases, if the problem is recurring discipline may be required including not allowing one or both youths to return to the program.</li> </ul>

**2. Supervisors and Administrators Response:**

In the event that a supervisor or administrator receives a report of a youth’s sexualized behavior or youth-to-youth sexual activity, the supervisor should do the following:

***Guidelines for Supervisors and Administrators Responding to Youth-to-Youth Sexual Activity***

- Meet with the staff who reported the sexual activity to gather information.
- Confirm that the youths involved have been separated or placed under increased supervision.
- Review the steps taken by the staff on duty.
- Review the incident report to confirm it is accurately and thoroughly completed.
- Meet with parents of the youths involved.
- Determine what actions should be taken to make sure there is no recurrence, including assessing the suitability of the program for the children involved.
- Notify the proper authorities.
- Develop a written corrective action or follow-up plan in response to the incident

Based on the information gathered, the following may be required:

- a. Review the need for additional supervision.
- b. Review the need for revised policies or procedures.
- c. Review the need for additional training.
- d. Alert others in the organization.

**3. Organizational Response:**

After the internal review of the sexualized behavior or youth-to-youth sexual activity, the organization will determine what can be done to prevent a reoccurrence, such as:

***Guidelines for Organizational Response***

- Review the need for additional supervision.
- Review the need for revised policies or procedures.
- Review the need for additional training.
- Alert others in the organization.

**D. Responding to Victims**

In the event of cases of reportable abuse, the policy of Faith United Church of Christ is to be responsive to the needs of victims within the constraints or obligations imposed under insurance contracts. In general, we will attend to the immediate needs of victims by providing support and pastoral care.

*Insurance Board clients only:* An incident of alleged abuse that requires medical or psychological care for a victim or family shall be reported to the Insurance Board by the (Chair, Financial Committee). The latter shall discuss with the Insurance Board Claims Department whether the circumstances warrant initiation of Crisis Management services which may include psychological counseling. Upon approval, counseling services may be offered to a perceived victim(s), which may include family members.

**E. Notification of Parents**

A minor child may be party to an incident either as an initiator or as the victim. Whether a child is initiator or victim may not be clear in all circumstances, such as a child-on-child incident. And violation of policy does

not necessarily create a victim. While notification of parents of such circumstances may be warranted, utmost care in communication is required.

While communicating with a parent, and **being mindful of the importance of timely communication**, care shall be given to assessing:

1. The specific facts;
2. Whether a disciplinary or termination process is required;
3. Whether a child should be dismissed from a program (requiring notification of other parents/guardians);
4. Whether “mandatory reporting” is a factor;
5. Who shall and in what manner communicate with the parents/guardian;
6. Whether the Pastor should be involved in the communication;
7. Tentative remedial steps to prevent a further incident.

Notification of parents shall not be delayed when immediate medical care is required.

#### **F. Responding to Media**

Media publicity following an incident of abuse or exploitation may be detrimental to the reputations of individuals, the congregation and Faith United Church of Christ Without intending ever to evade the media, contacts with media must be managed and conducted only by a person specifically designated by the Board of Directors to represent the church. No other person(s) may speak on behalf of the church. Unless designated differently by the Board in a particular circumstance, the exclusive spokesperson for the church shall be the [Board Chair].

Prior to speaking to media, [Board Chair] shall contact and consult with Conference (UCC) Legal Counsel, to obtain an understanding of appropriate statements or admissions and issues of privacy that may apply to the situation.

*Insurance Board clients only:* [Board Chair] shall give immediate consideration to securing Insurance Board media relations and crisis management resources. Considering the speed of news cycles, a prompt determination is required, erring on the side of seeking help.

#### **X. Congregational Awareness**

We are dedicated to a policy of open communication and education for the benefit of the children, parents, vulnerable adults and guardians we serve. They are entitled to know what to expect of our ministries, the Ministers who serve them, and to know the related policies and procedures created to protect the respective ministry constituencies. Constituencies include the children, the parents, the vulnerable adults, the guardians, and the Ministers.

- A. This entire policy shall be posted on the Faith United Church of Christ website, [[www.faithunitedchurchucc.com](http://www.faithunitedchurchucc.com)].
- B. At the time children or vulnerable adults are enrolled in Faith United Church of Christ programs, parents or legal guardians shall be provided:
  1. A copy of the Faith United Church of Christ Code of Conduct.
  2. A copy of the Faith United Church of Christ Policies for Working with Youth.

3. A summary of the content of the orientation to be provided to children and vulnerable adults regarding boundaries and reporting.
  4. Information regarding the means to report violations of policy or suspicions of abuse.
  5. Information regarding their personal obligation to report suspected abuse as it may exist under the laws of the State of New York State.
  6. An invitation to visit programs in progress at any time at their convenience.
- C. Children and vulnerable adults shall be provided an orientation covering the following subjects:
1. Age-appropriate information about boundaries (with reference to the Code of Conduct);
  2. How to protect themselves from abuse; and
  3. How to report boundary violations or incidents of abuse.
- D. The orientation shall be provided:
1. Individually at the time a child or “vulnerable adult” begins participation in a ministry of the church; or
  2. As a group at the opening of a school term, event or league; and
  3. Annually when a program, event or league is perpetual.
- E. Parents and guardians shall be invited to receive the same “abuse prevention” training as provided to Ministers to be taken at their option.

Parents/guardians shall be encouraged to report violations of policy, boundaries or suspected abuse to the Director of the respective ministry at which an incident has occurred or the Director. Alternatively, they may report incidents to the Ombudsman. Anonymous reporting is permitted in the same manner and with the same precautions as reporting by Ministers or other observers.

If for any reason, parent/guardian believes that the primary contacts have failed to respond or have not given credibility to the parent’s/guardian’s concerns, the latter may contact the church **Ombudsman** to report those concerns.

## **XI. Registered Sex Offender Policy**

As a community of faith, serving by the example of Jesus Christ, we also seek to attend to the needs of all who seek healing, redemption and fellowship among us. We shall be prepared to accept in our midst those who have violated the most sacred mores of our society at large, in order to provide them refuge, peace, example and support in their recovery and penitence. We commit to doing so with utmost care for the welfare of our congregation, collectively and individually, and the community we serve.

We accept that there are risks to be born in our deliberate association with and ministry to sex offenders who are considered a pariah among the community-at-large as evidenced by the many constraints placed upon their interaction with the community. We agree to honor the needs of the congregation and our community to have reasonable assurance that a sex offender in our care will not have an opportunity to re-offend as a result of lapses in our management of the offender.

We shall consider limited participation or membership of a sex offender in our congregation with utmost care which shall include the following elements:

Document understanding of the statutory limitations applying in the State of New York to the movement and activities of a sex offender, taking into account the programs of the church or the operations of tenants. (Examples:

Sunday school, day care, pre-school, sports leagues, seasonal camps and associations which serve children and “vulnerable adults”.)

Consider and understand the character of the crimes which have resulted in requiring an individual to register as a sex offender, the passage of time without repeated conduct or behavior and the risk and opportunity of re-offending that is presented by the particular programs of our congregation.

Document understanding of limitations and prohibitions placed upon the offender by courts and probation authorities. The opinion of a mental health professional regarding the suitability of the person to participation in the life of the church shall be obtained. In all cases where probation is in force, we shall obtain the explicit approval of and conditions of participation specified by the probation officer. A recommendation by law enforcement or mental health professionals to deny participation to an offender shall be honored in all cases.

Understanding that, with respect to a person who is an employee, volunteer or in a position of church leadership, who has previously been conviction for acts of sexual misconduct as defined by insurance contracts, knowledge by church leaders and managers of such prior conviction will have the effect of voiding coverage for the individual employee, volunteer or church leader and for the church for future acts of sexual misconduct by that person.

Given that criminal convictions are a matter of public record, there shall be no expectation of secrecy on the part of the offender. As a condition of participation in our faith community, the offender must agree that the leadership of the church shall make it known to the members, constituencies and customers of the church that we have accepted among us a registered sex offender. The conditions and limitations that apply to participation in the life of the church shall be known to all.

With the advice of legal counsel, and in all cases, the conditions of participation by a registered offender shall be defined by a “limited access agreement” executed by the offender and church. Such agreement shall be approved by probation authorities as may be necessary according to para. 3., above. The agreement shall be reviewed annually to validate on going eligibility. Violation of the agreement by the offender shall be considered as grounds for immediate cancellation of the agreement.

The following additional considerations shall apply:

**Victims in the congregation** – In such case as the victim of a RSO (registered sex offender) is a member of the congregation, employee or is a client of other services provided by the congregation, the RSO shall not be permitted to attend the church or church activities.

**Clergy-penitent privilege** – “Clergy-penitent privilege” is a “Rule of Evidence” defining or limiting information which clergy may reveal in a court of law only. “Clergy penitent privilege” does not prevent clergy from informing the congregation of matters which may be relevant to their safety; it does not require clergy to hold information in secrecy.

Ordained clergy shall assume responsibility and take extraordinary care to understand the scope and limitations of clergy-penitent privilege in the State of New York, and the parameters of confidence and privilege as defined by our denomination. Authorized clergy shall inform the leadership of the church of the general principles of confidence and privilege under which (s)he performs his/her clerical duties.

**Escorts (Parish Associate)** – Conditions of limited access for a RSO will commonly require that the offender have an escort while on the church premises or at church events elsewhere. A person serving as an escort shall not be a spouse, partner or relative of the offender.

**Approval & Supervision** – With the advice and prior approval of the Church Board, a Limited Access Agreement with a Petitioner (known RSO) may be signed only by the Senior Pastor.

The Senior Pastor, in association with other “authorized clergy” and parish associates (escorts), who shall be named in the Limited Access Agreement, shall be responsible for the general supervision of the Petitioner in all of the latter’s activity in relation to the church. Elements of supervision shall include the following:

Knowledge of the terms of the Limited Access Agreement, including activity limitations placed upon the Petitioner.

Knowledge of the Petitioners offense history sufficient to understand the risks of association with the church and its ministries.

Willingness to assert activity limitations and to report any violation of restrictions placed upon the Petitioner.

Willingness to intervene in any onset of a risky or problem behavior.

Willingness to report all cases of non-compliance to the Senior Pastor.

The Senior Pastor shall assess, prior to selection, whether a proposed parish associate is willing to fulfill the above elements of supervision.

**Professional privacy** – Members who are employed in certain occupations may have a statutory obligation to maintain privacy around the criminal history of their clients who may also be parishioners. Such members shall decline to accept leadership roles which may put them in a position of decision-making regarding individuals who may be their professional clients.

**Juveniles** – While the criminal record of a juvenile is ordinarily concealed by the courts, the church may come to know the juvenile's history by other means. Honest disclosure by a juvenile and parents in the volunteer application and screening process may reveal that a record exists without knowing the specifics. While a limited access agreement will be required for the juvenile, as for others, every precaution will be taken to preserve the privacy and confidentiality which the law affords a juvenile.

See Appendix for Limited Access Agreement.



**XII. Acknowledgment of SafeConduct Policy and Procedure**

I (print name) \_\_\_\_\_ have read, understand, and agree to comply with Faith United Church of Christ's policies regarding conduct with youth and vulnerable adults, and sexual abuse and harassment prevention.

\_\_\_\_\_  
Signature of Employee or  
Volunteer

\_\_\_\_\_  
Date

### **XIII. Appendices**

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**A. Volunteer Application**

Name: \_\_\_\_\_

Street address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_ Zip: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email: \_\_\_\_\_

How long at current address: \_\_\_\_\_

Driver License: State Issued: \_\_\_\_\_ Number: \_\_\_\_\_

Please list any previous positions held at Faith Church:

Position: \_\_\_\_\_ Dates (year): \_\_\_\_\_ to \_\_\_\_\_

Position: \_\_\_\_\_ Dates (year): \_\_\_\_\_ to \_\_\_\_\_

Position: \_\_\_\_\_ Dates (year): \_\_\_\_\_ to \_\_\_\_\_

Position: \_\_\_\_\_ Dates (year): \_\_\_\_\_ to \_\_\_\_\_

Please list your addresses in the past five years if other than above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*For what position are you volunteering?* \_\_\_\_\_

*What interests you about the position for which you are currently volunteering?*

\_\_\_\_\_  
\_\_\_\_\_

*What has prepared you for the position for which you are currently volunteering?*

\_\_\_\_\_  
\_\_\_\_\_

**DISCLOSURE**

I have been a member of this church since: \_\_\_\_\_/ I have been an active friend of this church since: \_\_\_\_\_

I have never been convicted of, nor pled guilty or no contest to a crime. (Exclude convictions that have been sealed, expunged or legally eradicated, misdemeanor convictions for which probation was completed and the case was dismissed, or offenses about which inquiry is not permissible in this state).

True

Not True

*If not true, please briefly describe on separate sheet the nature of the crime(s), the date and place of conviction and the legal disposition of the case. The church will not deny a position to any applicant solely because the person has been convicted of a crime. The church may consider the nature, date and circumstances of the offense, as well as whether the offense is relevant to the duties of the position applied for.*

Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the responsibilities of the position for which you are applying?

Yes

No

*If yes, please provide a brief explanation on separate sheet.*

The covenants between persons seeking authorized volunteer positions in the church require honesty, integrity, and truthfulness for the health of the church. To that end, I attest that the information set forth in this application is true and complete. I acknowledge that it is my duty in a timely fashion to amend the responses and information I have provided if I come to know that the response or information was incorrect when given or, though accurate when given, the response or information is no longer accurate.

Beginning such relationships with an open exchange of relevant information builds the foundation for a continuing and healthy covenant between volunteers and the church they seek to serve. To that end, I authorize Faith United Church of Christ and/or its agents to make inquiries regarding my character and qualifications, including all statements I have set forth above. I also authorize all entities, persons, former employers, supervisors, courts, law enforcement, and other public agencies to respond to inquiries concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background, character, and qualifications. To encourage such persons and entities to speak openly and responsibly, I hereby release them from all liability arising from their responses, comments, and statements.

The Faith United Church of Christ authorized volunteer recruitment process involves the sharing of information regarding applicants only with those persons in a position to recruit, secure, and supervise applied for the position or program. This form together with any related information or documents will be kept in a locked file cabinet within the church, assessible only by the Pastor and Board President. I understand that Faith United Church of Christ will share with me information it has gathered about me, if I request it to do so.

\_\_\_\_\_  
(Print name and sign)

\_\_\_\_\_  
Date

**(PRINT NAME & SIGNATURE OF PARENT OR GUARDIAN FOR APPLICANTS UNDER 18)**

## B. Sexual Harassment Reporting Form

### SEXUAL HARASSMENT REPORTING FORM

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Chair of the Pastor/Parish Relations Committee, or the President of the Church Board, or the Pastor. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, the church representative to whom you report will complete this form, provide you with a copy and follow the church's sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

**For additional resources, visit: [ny.gov/programs/combating-sexual-harassment-workplace](http://ny.gov/programs/combating-sexual-harassment-workplace)**

#### COMPLAINANT INFORMATION

Name:

Work Address:

Work Phone:

Email:

Select Preferred Communication Method:    Email    Phone    In person

#### COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made about:

Name:

Title:

2. Please describe what happened and how it is affecting you and your relationship to the church. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

*The last question is optional but may help the investigation.*

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Next steps:** Once this form has been completed and submitted the church will follow its sexual harassment prevention policy, which is posted on the bulletin board in the narthex and available on the church's website.

An investigation involves:

- Speaking with the complainant
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

While the process may vary from case to case, all allegations will be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

The UCC Western Association and/or NY Conference will document the findings of the investigation and basis for a decision along with any corrective actions taken and notify the complainant and the individual(s) against whom the complaint was made. This may be done via email.